**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

PRESENT :

**THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU**
&
**THE HONOURABLE MR. JUSTICE K.M.JOSEPH**

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

WA.No. 2775 of 2007
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AGAINST THE JUDGEMENT/ORDER IN OP.27579/1999 Dated 04/08/2004
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**APPELLANTS/ APPELLANTS/RESPONDENTS**
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1. THE DIRECTOR OF CIVIL SUPPLIES,
   COMMISSIONERATE OF CIVIL SUPPLIES,
   THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
   THRISSUR.

3. THE TALUK SUPPLY OFFICER,
   THRISSUR.

4. THE TALUK SUPPLY OFFICER,
   CHAVAKKAD.

**BY SR. GOVERNMENT PLEADER SMT. K. MEERA.**

**RESPONDENTS/ PETITIONERS IN THE O.P.**
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1. C.K.PAULSON,
   PROPRIETOR, KEROSENE WHOLESALE DEALER,
   THRISSUR AGENCIES, PULLAZHI P.O., THRISSUR,
   AGENT OF BHARATH PETROLEUM CORPORATION.

2. V.P.LAZAR & SONS,
   KEROSENE WHOLESALE DEALER INDIAN OIL CORPN.,
   VADANAPPILLY, CHAVAKKAD.

3. V.P.LAZAR & SONS,
   KEROSENE WHOLESALE DEALER INDIAN OIL CORPORATION,
   THIRUVATHARA, CHAVAKKAD.

4. K.PARUKUTTY AMMA,
   PROPRIETRIX, KRISHNA AGENCIES, KEROSENE WHOLESALE
   DEALERS, INDIAN OIL CORPORATION, THRISSUR.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**H.L. DATTU, CJ. & K. M. JOSEPH, J.**

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**C.M.APPL.NO.1270 OF 2007**

**&**

**W.A. NO. 2775 OF 2007**

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**Dated this the 28th November, 2007**

**JUDGMENT**

**H.L. DATTU, CJ.**

Aggrieved by the orders passed by the learned Single Judge in O.P. No.27579/99 dated 4.8.2004, the State has preferred this Writ Appeal.

2. There is a delay of nearly 1167 days in filing the Writ Appeal.

3. To condone the delay in filing the Writ Appeal, the appellants have filed an Application under Section 5 of the Limitation Act. Along with the Application, an Affidavit is also filed. In the Affidavit, the applicants/appellants only state that the papers were moving from table to table and, therefore, the delay has occurred in filing the Appeal. Except this explanation, no other reason is offered.

4. The explanation so offered by the applicants/appellants is not only unreasonable, but also unsatisfactory. Therefore, we are of the opinion that the delay does not deserve to be condoned. Accordingly, the Application for condonation of delay, requires to be rejected and it is rejected. Consequently, the Writ Appeal also stands rejected.

Ordered accordingly.

**H.L. DATTU,**
**CHIEF JUSTICE**

**K.M. JOSEPH,**
**JUDGE**

**kbk.**